

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	Criminal No. 1:04cr407
)	
v.)	
)	
MOHAMAD BELAL ALMASRI,)	
)	
Defendant)	

STATEMENT OF FACTS

Were this case to go to trial, the government would prove beyond a reasonable doubt by competent and admissible evidence the following:

1. In or about July 2004, co-conspirator Mohamad Youssef Tellawi met Jermaine Betea and Isadore Nouthong in Washington, D.C. Thereafter and up until July 19, 2004, Tellawi and co-conspirator Slimane Bourouhen, a/k/a Sammy Bourouhen, engaged Betea and Nouthong in several conversations, for the ostensible purpose of Bourouhen's agreeing to sell Nouthong his beauty shop supply business located in West Palm Beach, Florida. These conversations culminated in Tellawi's persuading Nouthong and Betea to fly to West Palm Beach on July 19, 2004. Accordingly on that date, Nouthong, Betea and Tellawi flew from Dulles International Airport, Loudoun County, Virginia, which is located in the Eastern District of Virginia, to West Palm Beach.

2. When the three arrived at the West Palm Beach airport, Betea rented a car, and Tellawi drove them to a hotel in West Palm Beach, where Nouthong and Betea rented a room. They then

met **ALMASRI** in the hotel parking lot and all four of them drove in two cars to Bourouhen's place of business.

3. Prior to July 19, 2004, **ALMASRI**, Tellawi and Bourouhen had discussed over the telephone and in person kidnaping Nouthong and Betea. Thereafter, Bourouhen met with co-conspirator Aaron Bernard Loray and told Loray that a friend of his from Washington, D.C., Tellawi, whom he referred to as "Youssef," was mad at two guys over a business deal and was going to kidnap them in order to get his money back. Bourouhen told Loray to recruit one more person to help in the crime. Loray recruited Daniel Spencer Bythwood, to assist in the crime

4. Around 7:00 p.m. on July 19, 2004, Loray and Bythwood drove to Bourouhen's place of business, which they entered and met Bourouhen and Bourouhen's teenage son. Defendant **ALMASRI** arrived approximately 30 minutes later. The teenager and **ALMASRI** left, and Bourouhen, Loray and Bythwood waited.

5. Around 8:00 p.m. on July 19, 2004, Nouthong and Betea together with **ALMASRI** and Tellawi arrived at Bourouhen's place of business. Once there, the four of them entered through the front door. When all four were inside, **ALMASRI** turned down the lights. After Nouthong and Betea walked to the back of the store, Bourouhen picked up a loaded 12 gauge pump action shotgun. Thereafter, he confronted them with the shotgun while Loray and Bythwood each handcuffed one of them. Bourouhen then handed the shotgun to Bythwood while he and Loray relieved Nouthong and

Betea of their billfolds, credit cards, cash, and jewelry. The victims were then ordered to divulge their various PIN numbers.

6. **ALMASRI** and Tellawi left the store with the victims' cards and attempted unsuccessfully to withdraw money from the victims' accounts at ATM machines. **ALMASRI** and Tellawi next drove to the hotel, where they took Nouthong and Betea's luggage from their room. They then returned to the beauty shop supply store. When they told Bourouhen what happened, Bourouhen accused the victims of giving him wrong PIN numbers and, brandishing the shotgun at them, threatened to kill them both and to cut off their heads. Tellawi and Bourouhen then demanded that each of the victims raise a ransom of \$200,000 and ordered them to use their cellular telephones to call friends and relatives in that effort.

7. Eventually, Nouthong was able to arrange through a third party to have a friend take \$50,000 to a hotel in the area where the friend was to give the money to **ALMASRI**, Tellawi, and Bourouhen. However, when the three went to the hotel where they were to rendezvous with the friend, they observed policemen in the area. They then returned to Bourouhen's store where **ALMASRI** angrily demanded that Nouthong describe his friend who was to deliver the \$50,000 and the car he was driving. The description he gave matched that of the person whom **ALMASRI** saw at the hotel in the company of the policemen, and **ALMASRI** called the friend to

verify the description of the car he was driving. The three made no further efforts to collect that ransom.

8. None of the three: **ALMASRI**, Bourouhen and Tellawi, ever intended that Bourouhen would sell his beauty shop supply business to Nouthong or Betea, and the negotiations carried on between Tellawi and Bourouhen on the one hand and Nouthong and Betea on the other were a ruse to inveigle the latter to travel from Virginia to West Palm Beach, Florida, for the purpose of holding them there for ransom. **ALMASRI**, knowingly, deliberately, and willfully entered into the agreement with the others to achieve that purpose and to bring about its goals. His actions as described above were not the result of accident, mistake or other innocent reason.

Respectfully submitted,

Paul J. McNulty
United States Attorney

By:

James P. Gillis
Michael E. Rich
Assistant United States Attorneys

After consulting with my attorney and pursuant to the plea agreement entered into this day between me and the United States, I hereby stipulate that the above Statement of Facts is true and

accurate, and that had the matter proceeded to trial, the United States could have proved the same beyond a reasonable doubt.

Mohamad Belal Almasri
Defendant

I am **MOHAMAD BELAL ALMASRI's** attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Plato Cacheris, Esq.